THE HON'BLE SRI JUSTICE B. PRAKASH RAO
AND
THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO. 2300 OF 2006

Date: 20.11.2006

Between:

K. Sangeetha Rao.

… Petitioner

and

State Govt. of A.P. rep., by its Secretary, Education Department, Secretariat, Hyderabd and four others.

…. Respondents.

THE HON'BLE SRI JUSTICE B. PRAKASH RAO
AND
THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO. 2300 OF 2006

ORDER: (per Hon'ble Sri Justice Ramesh Ranganathan)

Aggrieved by the order in M.A. No. 3714 of 2005 in M.A.S.R. No. 15515 of 2002 in O.A. No. 9739 of 2002 dated 01.12.2005 the present writ petition is filed.

The Tribunal passed the said order holding that it had no power to condone the delay in filing an application seeking restoration of the O.A. dismissed earlier for non-prosecution. Both Sri Meherchand Noori, learned Counsel for the petitioner and the learned Government Pleader would agree that the subject matter is covered by the full bench judgment of this Court in **G. Narasimha Murthy Vs. District Collector, Mehaboobnagar**[1] wherein it was held that the Tribunal had the power to condone the delay in filing an application to restore the O.A which was dismissed for default earlier.

Following the full bench judgment, the order of the Tribunal is set aside. The matter is remanded to the Tribunal to pass appropriate orders on the condone delay petition in M.A. No. 3714 of 2005 in M.A.S.R. No. 15515 of 2002 in O.A. No. 9739 of 2002 dated 01.12.2005.

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B.PRAKASH RAO,J

Date: 20-11-2006

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RAMESH RANGANATHAN,J

MRKR

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[1] (2006) 3 ALT 433